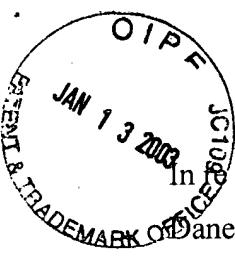


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Dane K. FISHER et al.

Appln. No.: 09/394,745

Filed: September 15, 1999

Title: Nucleic Acid Molecules and Other
Molecules Associated with Plants

Art Unit: 1637

Examiner: Young J. KIM

Atty. Docket: 16517.001/38-21(15454)B

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 11, 2002, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fees for this filing is given in the accompanying transmittal letter. A duplicate copy of this Notice is attached.

Respectfully submitted,

Thomas E. Kelley

Thomas E. Kelley (Reg. No. 29,938)
by David R. Marsh (Reg. No. 41,408)

us

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Date: January 13, 2003

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